

Docket No. 0213-1431-0

IN RE APPLICATION OF: Satoru NISHIMURA et al

SERIAL NO: 09/534,995

FILED: March 27, 2000

FOR: CHOLINE MONOOXYGENASE GENE



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ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Marked-up copy

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	23	MINUS	30	0	× \$18 =	\$0.00
INDEPENDENT	4	MINUS	6	0	× \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

- ☒ A check in the amount of **\$0.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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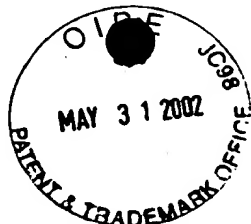
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0213-1431-0



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :  
SATORU NISHIMURA ET AL. : GROUP ART UNIT: 1635  
SERIAL NO: 09/534,995 :  
FILED: MARCH 27, 2000 : EXAMINER: EPPS, J.  
FOR: CHOLINE MONOOXYGENASE GENE

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C

SUPPLEMENTAL AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated December 5, 2001 and the Office Communication dated May 16, 2002, Applicants respectfully request reconsideration in light of the following amendments and remarks.

IN THE CLAIMS

Please amend the claims as shown in the attached marked-up copy to read as follows:

Please cancel Claims 1, 7<sup>1</sup> and 19-22<sup>1</sup>.

C<sup>2</sup>  
2. (Amended) A choline monooxygenase gene encoding a protein comprising the amino acid sequence shown in SEQ ID NO:2, 4 or 6.

C<sup>2</sup>  
8. (Amended) A gene encoding a peptide comprising the amino acid sequence shown in SEQ ID NO:17.